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Case 4:18-cv-02311 Document 9-1 Filed in TXSD on 09/12/18 Payeited states District Court Southern District of Texas

#### **ENTERED**

September 17, 2018
David J. Bradlev, Clerk

# IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

PATSY E. GUZMAN
Plaintiff

VS.

VS.

WELLS FARGO BANK, N.A. AS
TRUSTEE, IN TRUST FOR THE REGISTERED
HOLDERS OF PARK PLACE SECURITIES,
INC., ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2004-WCW1;
AND SELECT PORTFOLIO SERVICING, INC.
Defendants

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E. A. NO. 4:18-cv-02311
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C.A. NO. 4:18-cv-02311
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E. A. NO. 4:18-cv-02

## AGREED FINAL JUDGMENT AND ORDER AUTHORIZING FORECLOSURE

Based on the agreement of the parties, Judgment is granted in favor of Wells Fargo Bank, N.A., as Trustee, in Trust for the Registered Holders of Park Place Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2004-WCW1 ("Trustee") and Select Portfolio Servicing, Inc. ("SPS") (collectively referred to herein as "Defendants") and against Patsy Guzman ("Plaintiff") on all claims and counterclaims asserted in this action.

It is therefore **ORDERED** that claims of Plaintiff against Defendants are hereby dismissed with prejudice. It is further

ORDERED and DECLARED that Trustee is hereby awarded and this Judgment shall constitute an Order Authorizing Foreclosure, authorizing Trustee to foreclose on the real property collateral located at 13911 Briarplace Drive, Houston, Texas 77077 as more particularly described in the subject Texas Security Instrument recorded in the real property records of Harris County, Texas as Instrument No. X609455 (the "Security Instrument"). It is further

**ORDERED** and **DECLARED** that Trustee is authorized to conduct a non-judicial foreclosure sale of the Property pursuant to the terms and conditions of the Security Instrument

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and in accordance with TEX. PROP CODE §51.002 and TEX. CONST. Art. XVI § 50 (a)(6) of the following described Property, to-wit:

LOT FIFTEEN (15), IN BLOCK TWENTY (20), OF BRIAR VILLAGE, SECTION FOUR (4), AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 222, PAGE 11 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

and which real property together with the improvements thereon is referred to herein as (the "Property"). It is further

**ORDERED** and **DECLARED** that this Judgment serves as a Final *in rem* Judgment and Declaration of this Court Authorizing Foreclosure of the subject Texas Home Equity Lien in accordance with TEX. CONST. ART. XVI §50(a)(6)(D). It is further

**ORDERED** that a copy of this Judgment shall be sent to Plaintiff with the notice of the date, time and place of the foreclosure sale. It is further

**ORDERED** that Trustee file a certified copy of this Judgment in the real property records of the county where the property is located within ten (10) days after the entry of this Final *in rem* Judgment; however, failure to timely record this Judgment shall not affect the validity of the foreclosure and defeat the presumption of TEX. CONST. ART XVI, §50(i).

Signed this 14 h day of Sporker, 2018

UNITED STATES DISTRICT JUDGE

#### AGREED AS TO SUBSTANCE AND FORM:

## HIRSCH AND WESTHEIMER, P.C.

By: /s/ Michael F. Hord Jr.

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#### **COUNSEL FOR PLAINTIFF**